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                                                         The Honorable John H. Chun

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9   UNITED STATES DISTRICT COURT
                       FOR THE WESTERN DISTRICT OF WASHINGTON
10   AT SEATTLE

11   KIM SNELL,

                              Plaintiff,   Case No. 3:20-cv-06028-JHC
12

13   v.
                                                           **ORDER GRANTING IN PART
     THE STATE OF WASHINGTON;   AND DENYING IN PART
14   DEPARTMENT OF SOCIAL AND HEALTH   PLAINTIFF'S MOTION TO
     SERVICES, JUDITH A. FITZGERALD and   COMPEL DISCOVERY**
15   UNA I. WILEY

16   Defendants.

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20   THIS MATTER, having come on regularly before the undersigned Judge in the above

21   entitled court upon the Plaintiff's Motion to Compel Discovery (Dkt. # 19), and the Court having

22   reviewed the following documents in connection with this motion:

23   1.   Plaintiff's Motion to Compel Discovery to DSHS;

24   2.   Declaration of Richard H. Wooster in Support of Plaintiff's Motion to Compel;

25   3.   Defendants' Response to Plaintiff's Motion to Compel;

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4. Declaration of Michelle Hansen in Support of Defendants' Response in Opposition to Plaintiff's Motion to Compel Discovery to DSHS and Exhibits A and B attached thereto;

5. Plaintiff's Reply to Defendants' Opposition to Plaintiff's Motion to Compel;

6. Declaration of Richard Wooster in Support of Plaintiff's Reply to Defendants' Opposition to Plaintiff's Motion to Compel; and

7. Declaration of Devin Epp in Support of Plaintiff's Reply to Defendants' Opposition to Plaintiff's Motion to Compel,

And the Court having reviewed all relevant and admissible pleadings and documents on file in this matter, and heard Oral Argument on November 10, 2022.

During oral argument it was acknowledged that Defendant had produced a new set of responsive Answers to Interrogatories and Request for Production at 3:07 p.m. that Plaintiff had not had the opportunity to fully review.   The Parties also allowed for changes to the case schedule that are the subject of a separate order to allow completion of discovery.

However, some issues needed to be addressed by the Court and it is hereby ORDERED, ADJUDGED and DECREED that Plaintiff's Motion to Compel Discovery is granted in part as follows:

Witness Identity: Defendants shall provide, within 7 days of the date of this Order, subject to the protections in the Court approved Protective Order, full and complete information on the Identity of witnesses identified to date, including home addresses and telephone numbers to the extent such information is available to Defendants, with the acknowledgement that contact information related to former DSHS employees may take longer to determine and produce.

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"Identity" information on witnesses identified in Defendants' discovery. Identity means:

> Where the Interrogatories request the identification of persons, state: (a)   full
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> name, (b) last known home address and present business address, (c) present
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> telephone number, (d) present business affiliation, (e) present title and duties, and
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> (f) affiliation, title, and duties as of the time the information being sought by the
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> particular Interrogatory was current.

Additional Information, if any, Regarding Identity of and Discipline Imposed on Employees of DSHS who Released Protected Health Information or Information Protected Under HIPPA Pursuant to Plaintiff's Interrogatory Number 15 and Request for Production Number 22.   Defendant shall fully provide this information to the Plaintiff on or before, November 25, 2022.

The Court Denies, without prejudice, the remainder of Plaintiff's Motion to Compel including the request for information regarding the Identity of reports of financial performance of the Office of Financial Recovery ("OFR") in 2019; and the Request for Production No. 8 requesting the production of such reports from January 1, 2018 to December 31, 2020.

The Court Denies Plaintiff's Request for Plaintiff's reasonable attorney's fees associated with bringing the motion to compel.

DATED this 14th day of November, 2022.

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THE HONORABLE JOHN H. CHUN

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